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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,613	02/12/2004	Ronald R. Woller	8S08.1-200	4632

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GARDNER GROFF, P.C.  
2018 POWERS FERRY ROAD  
SUITE 800  
ATLANTA, GA 30339

EXAMINER

CHIN SHUE, ALVIN C

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/777,613

Applicant(s)

WOLLER ET AL.

Examiner

Alvin C. Chin-Shue

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                                    |

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,4,5,7 and 15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by French pat. '164 to Claude.

Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Cramer et al in fig.5.

Claims 1-7,15,16,19 and 20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Maxwell. Maxwell shows side bolsters 25.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maxwell in view of Stillman, Jr. Maxwell shows the claimed ladder with the exception of the angled rungs with ridges. Stillman shows a ladder with angled rungs 7 with ridges. It would have been obvious to one of ordinary skill in the art

at the time the invention was made to modify the ladder of Maxwell to comprise angled rungs with ridges, as taught by Stillman, as a safety means.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maxwell in view of Cramer et al. Maxwell shows the claimed ladder with the exception of the bolsters being removably secured to each ladder sections. Cramer in fig.5 shows a bolster 12 removably secured to each ladder sections. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the ladder of Maxwell to comprise bolsters, as taught by Cramer, for interconnecting his ladder sections.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maxwell in view of Hutchinson. Maxwell shows the claimed ladder with the exception of the rails being double box beams. Hutchinson shows rails constructed as double box beams. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the ladder of Maxwell to comprise rails constructed as double box beams, as taught by Hutchinson, to enable a strong lightweight construction.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maxwell and Hutchinson, as applied to claim 12 above, and further in view of Crozier. Crozier in fig.7 shows a bolster 4 closely overlaying and wrapped around

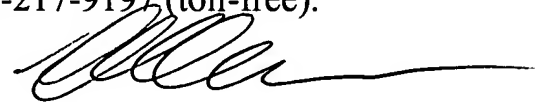
the distal edges of an I-beam. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maxwell to comprise bolsters closely overlaying and wrapped around the distal edges of the I-beam construction as taught by Hutchinson, as taught by Crozier, to enable a tightly fitting splice.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Cramer et al. or French pat. '164 to Michel. The examiner takes official notice that threaded fasteners with knobs are conventional fasteners to facilitate hand assembly. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify either Cramer or Michel to comprise conventional knob fasteners in lieu of their bolts to facilitated hand assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin C. Chin-Shue whose telephone number is 703-308-2475. The examiner can normally be reached on Monday-Friday, 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alvin C. Chin-Shue  
Examiner  
Art Unit 3634

ACS